

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Claims 14-17 were pending in the subject application. Claim 14 was independent and claims 15-17 depended therefrom. Claim 14 is now cancelled without prejudice to pursue in a future related application, and claim 16 is amended to be rewritten in independent form. Support for the amendment to claim 16 is found, in part, in claim 14 from which claim 16 had depended. In view of the cancellation of claim 14 and the amendment of claim 16 to be independent, claims 15 and 17 are amended to depend from claim 16 rather than from claim 14. No new subject matter has been added by the amendments. Claims 15-17 as amended are now pending in the subject application.

In the Office Action dated January 26, 2009, claims 14, 15 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gwag et al. (PCT Application Publication No. WO 01/79153) and Perez-Navarro et al. (J. Neurochem. 75:2190-2199, 2000). Claim 16 was not subjected to this rejection.

Applicants respectfully disagree with this rejection of claims 14, 15 and 17. Nevertheless, in order to expedite allowance of claim 16, as set forth above claim 14 has been cancelled and claims 15 and 17 amended to depend from now independent amended claim 16. Accordingly, the rejection under Section 103(a) has been rendered moot.

Therefore, it is believed that the rejection of claims 14, 15 and 17 under 35 U.S.C. § 103(a) has been eliminated. Reconsideration and withdrawal of this rejection are respectfully requested.

As set forth above, amended claim 16 has been rewritten in independent form and claims 15 and 17 amended to depend from claim 16. In the Office Action, claim 16 is deemed to distinguish patentably over the combination of Gwag et al. and Perez-Navarro et al. for purposes of Section 103. Claim 16 is directed to a composition comprising a neurotrophin and 2-hydroxy-5-(2,3,5,6-tetrafluoro-4-trifluoromethyl-benzylamino)-benzoic acid. Claim 15, which now depends from independent claim 16, is directed to specifying particular neurotrophins for inclusion in the composition of claim 16. With respect to the component neurotrophin of the

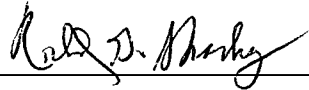
claimed composition, claim 16 is generic to claim 15. As independent claim 16 represents an allowable generic claim, it is respectfully submitted that the objection to claims 15-17 has been obviated. Reconsideration and withdrawal of this objection are respectfully requested.

Therefore, in light of the amendments and remarks set forth above, Applicants believe that all the Examiner's rejections have been overcome. Reconsideration and allowance of the now pending claims (15-17) are respectfully requested. If there is any further matter requiring attention prior to allowance of the subject application, the Examiner is respectfully requested to contact the undersigned attorney (at 206-622-4900) to resolve the matter.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



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